

REMARKS/ARGUMENTS

The Office Action mailed April 14, 2006 has been carefully considered.
Reconsideration in view of the following remarks is respectfully requested.

Claim Status and Amendment to the Claims

Claims 1-64 are now pending. No claims stand allowed.

Claims 13-30 have been withdrawn from consideration.

Claims 4-5, 34-35, 44, and 47 have been canceled, without prejudice or disclaimer of the subject matter contained therein.

Claims 1, 2, 6, 31, 32, 36, 43, 45, 46, and 48 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. Support for these changes may be found in the specification, page 10, lines 8-13. The amendment also contains minor changes of a clerical nature. The text of claims 3, 7-12, 33, and 37-42 is unchanged, but their meaning is changed because they depend from amended claims.

New claims 49-64 have been added, which also particularly point out and distinctly claim subject matter regarded as the invention.

No "new matter" has been added by the amendment.

Claim Objection

Claim 43, 45, 46 and 48 are objected to because of certain informalities as noted in the Office Action.

Claims 43, 45, 46 and 48 have been amended to eliminate informalities. With this amendment, withdrawal of the objection to the claims is respectfully requested.

The 35 U.S.C. §112 Rejection, Second Paragraph

Claims 4, 34, 44 and 47 stand rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention.

Claims 4, 34, 44, and 47 have been cancelled without prejudice. Accordingly, withdrawal of the 35 U.S.C. §112, second paragraph, rejection is respectfully requested.

The 35 U.S.C. §102 Rejection

Claims 1-5 and 31-35 stand rejected under 35 U.S.C. §102(e) as being allegedly anticipated by Ben-Dor, et al. (U.S. Pat. Application Pub. No. 2002/0141418 A1), among which claims 1 and 31 are independent claims. This rejection is respectfully traversed.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987). “The identical invention must be shown in as complete detail as is

contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 869 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). *See also*, M.P.E.P. §2131.

Claim 1 defines a universal serial bus (USB) remote host control driver. The claimed USB remote control driver comprises, among others, a polling routine configured to poll each of possible device adapters connected to the network in accordance with a candidate list, and create a master list of the device adapters which responded to the polling, as recited in Claim 1 as amended.

In the Office Action, the Examiner alleges that the elements of the presently claimed invention are disclosed in Ben-Dor. Although the Examiner admits that Ben-Dor does not explicitly recite a memory storing the addresses of the adapters and identifiers of the USB devices, the Examiner contends that such a memory is necessarily present and therefore disclosed by Ben-Dor. In addition, with respect to the polling routine, the Examiner alleges that Ben-Dor further discloses a polling routine configured to contact each of said device adapters, identify each of said USB devices, and store the identifications in said memory, citing paragraphs [0136] and [0159] through [0172] thereof (see Office Action, page 7, paragraph 15). The Applicants respectfully disagree for the reasons set forth below.

Ben-Dor describes communication between a host and a bus device over the network (column 1, lines 3-8 thereof). In Ben-Dor, according to the paragraphs thereof cited by the Examiner, a network host (the alleged host control driver) sends a query

owner request to (i.e., allegedly “polls”) a Remote Peripheral Server (RPS, the alleged adapter) in order to determine if a local device (the alleged USB device) is owned, and if owned, to determine the current owner (paragraph [0139] thereof). Ben-Dor’s network host may also send a register ownership request to an RPS in order to claim ownership of a particular local device (paragraph [0145] thereof), and a release ownership request in order to free ownership of a particular local device (paragraph [0151] thereof). The RPS sends back a corresponding response to each query with the unique ID of the particular local device and an IP address of the current or new owner (a host device) (paragraphs [0142]-[0143], [0148]-[0149], and [0154]-[0155] of Ben-Dor).

Thus, in Ben-Dor’s “request” processes, the network host is only interested in a particular local device (to query owner, register ownership, or release ownership), and thus sends a request to a specific RPS coupled to that particular local device of interest. Furthermore, there is no such a list as a candidate list of possible RPS’s in Ben-Dor. Therefore, Ben-Dor’s “request” processes do not poll each of possible RPS’s (the alleged adapters) connected to the network in accordance with a candidate list, as recited in claim 1.

In addition, since Ben-Dor’s “request” processes are targeted to a particular local device and thus to a specific RPS, as discussed above, Ben-Dor teaches away from sending a request to (allegedly polling) other RPS’s of no interest so as to creating a master list of RPS’s.

Accordingly, Ben-Dor do not teach or suggest, by its “request” processes, polling each of possible device adapters connected in the network in accordance with a candidate list, and creating a master list of the USB devices which responded to the polling, as recited in claim 1.

In the “discovery” process of Ben-Dor (paragraphs [0157]-[0172] thereof), an RPS Announcement Packet (RAP) may be multicast by an RPS (the alleged adapter) in response to an RPS Announcement Packet Request (the alleged polling) sent by a network host (paragraph [0163] thereof). The RAP may include an IP address of the RPS generating the RAP, and current network owners of each device connected to the USB (paragraphs [0167] and [0172] of Ben-Dor). However, again, Ben-Dor’s “discovery” process does not use any candidate list of possible RPS’s for sending such a RAP request (the alleged polling) to RPS’s.

Furthermore, in Ben-Dor, only network hosts interested in communicating with a particular RPS use the discovery process (paragraph [0158] thereof, emphasis added). Since Ben-Dor’s network host is interested in a particular RPS, there is no reason for Ben-Dor to create a list of other RPS’s of no interest which happened to responded to the host’s RAP request, although the host might allegedly store in a memory an IP address of the particular RPS of interest and identifier of its local device(s). Thus, Ben-Dor also fails to teach or suggest creating a master list of the RPS’s (alleged adapters) which responded to the RAP request (the alleged polling) in its “discovery” process.

Accordingly, Ben-Dor fails to teach or suggest, by its “discovery” process, a polling routine configured to poll each of possible device adapters connected to the network in accordance with a candidate list, and created a master list of the device adapters which responded to the polling create a master list of the device adapter which responded to the polling, as recited in claim 1.

Claim 31, as amended, includes substantially the same distinctive features as claim 1. Other independent claims 43 and 46, as amended, also include substantially the same distinctive feature as claim 1. Thus, they are also patentable for the same reasons as discussed above.

Accordingly, it is respectfully requested that the rejection of claims based on Ben-Dor be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

The 35 U.S.C. §103 Rejection

Claims 6-10, 12, 36-40 and 42 stand rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Ben-Dor, et al. (U.S. Pat. No. 2002/0141418) in view of Krishnan (U.S. Pat. No. 6,157,950), among which claims 6 and 36 are independent claims. This rejection is respectfully traversed.

According to M.P.E.P. §2143,

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references

themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.

In order to reach a proper determination under 35 U.S.C. §103, knowledge of applicant's disclosure must be put aside in reaching this determination, and the legal conclusion must be reached on the basis of the facts gleaned from the prior art. M.P.E.P. § 2142. That is, the references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention. *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).

Furthermore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990).

Claim 6 defines an internet gateway comprising a port for connecting to the Internet, and a universal serial bus (USB) remote host control driver. The claimed USB remote host control driver includes, among others, a polling routine configured to poll each of possible USB device adapters connected to the local network in accordance with a candidate list, and create a master list of the USB device adapters which responded to the polling, as recited in claim 6 as amended.

In the Office Action, the Examiner alleges that the elements of the presently claimed invention are disclosed in Ben-Dor, except that Ben-Dor does not teach Internet gateway containing the USB remote host control driver. The Examiner further contends that Krishnan teaches connecting peripheral devices to a local area network and providing an Internet gateway to enable remote access to the peripherals via the Internet and that it would be obvious to one having ordinary skill in the art at the time of the invention to incorporate Krishnan into Ben-Dor in order to enable the USB devices via the Internet. The Applicants respectfully disagree for the reasons set forth below.

As discussed above, Ben-Dor fails to teach or suggest a polling routine configured to poll each of possible device adapters connected to the network in accordance with a candidate list, and created a master list of the device adapters which responded to the polling create a master list of the device adapter which responded to the polling, as recited in claim 6, as well as claim 1. Krishnan only allegedly teaches connecting peripheral devices to a local area network and providing an Internet gateway, and thus does not teach or suggest the claimed polling routine. Thus, Ben-Dor, whether considered alone or combined with or modified by Krishnan, does not teach or suggest the claimed polling routine.

Claim 36 also includes substantially the same distinctive features as claim 6, and thus the argument set forth above is equally applicable.

Accordingly, it is respectfully requested that the rejection of claims based on Ben-Dor and Krishnan be withdrawn. In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Dependent Claims

Claims 2-3 depend from claim 1, claims 7-12 (and new claim 44) depend from claim 6, claims 32-33 depend from 31, claims 37-42 (and new claim 50) depend from claim 36, and thus include the limitation of claims 1, 6, 31, and 36, respectively. The argument set forth above is equally applicable here. The base claims being allowable, the dependent claims must also be allowable at least for the same reasons.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

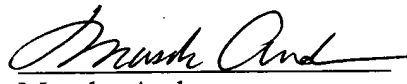
Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 50-1698.

Respectfully submitted,
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